

Board Meeting Information

To: Board of Trustees
From: Eddie Lucchesi, Manager
CC: Chris Eley, Legal Counsel
Date: 3/15/2017
Re: March 2017 BOT Meeting, Agenda Item 8

8. RESOLUTION (DRAFT) OF THE BOARD OF TRUSTEES OF THE SAN JOAQUIN COUNTY MOSQUITO AND VECTOR CONTROL DISTRICT (DISTRICT) DESIGNATING THE MANAGER AND ASSISTANT MANAGER AS AUTHORIZED AGENT(S) TO ENGAGE WITH THE FEDERAL EMERGENCY MANAGEMENT AGENCY AND THE CALIFORNIA EMERGENCY MANAGEMENT AGENCY REGARDING GRANTS APPLIED FOR BY THE DISTRICT

On March 7, 2017, I received word from San Joaquin County OES that Governor Brown included San Joaquin County in his proclamation of a State of Emergency for FEMA for their consideration. In doing so, the District may qualify for funding to conduct mosquito control efforts along designated areas most effected by the recent storms and related flooding.

The San Joaquin River corridor's levee system, and associated tributaries, are strained, and we are responding to river seepage conditions that begin south of Manteca and continue north and west throughout the entire San Joaquin County Delta ecosystem. With the warmer weather conditions, more releases are anticipated, which causes high water levels and increases seepage conditions.

The Mokelumne River banks have disappeared, and parts of the river now consume hundreds of acres of grape vineyards, row crop land, pastures, and recreational areas that affect areas from Hwy 88 to the east to the town of Thornton to the west. The last report from East Bay MUD indicated the releases from Camanche will continue for 90 days. There is speculation, based on the Sierra snow-pack, it could very well extend through the month of June.

At the time of this report, the District larvicided approximately 3,500 acres by air alone, not including ground based spray applications.

As I stated to the Board last month, there is a chance the District may exceed budgeted amounts in two categories of the District's 2016/17 expenditure budget which would include Account #6221002 – Contract Aircraft and Account #6252000 – Ag Chemicals.

Attached is a Cal EMA 130 form (District Resolution 16/17-8) that designates the Manager or Assistant Manager as authorized agents to engage with FEMA and Cal EMA regarding grants applied for by the District.

This item requires Board Action.

Attachments

RESOLUTION 16/17-8
DESIGNATION OF APPLICANT'S AGENT RESOLUTION
FOR NON-STATE AGENCIES

BE IT RESOLVED BY THE Board of Trustees OF THE San Joaquin County Mosquito and Vector Control District
(Governing Body) (Name of Applicant)

THAT Manager, OR
(Title of Authorized Agent)
Assistant Manager, OR
(Title of Authorized Agent)

(Title of Authorized Agent)

is hereby authorized to execute for and on behalf of the San Joaquin County Mosquito and Vector Control District, a public entity
(Name of Applicant)

established under the laws of the State of California, this application and to file it with the California Emergency Management Agency for the purpose of obtaining certain federal financial assistance under Public Law 93-288 as amended by the Robert T. Stafford Disaster Relief and Emergency Assistance Act of 1988, and/or state financial assistance under the California Disaster Assistance Act.

THAT the San Joaquin County Mosquito and Vector Control District, a public entity established under the laws of the State of California,
(Name of Applicant)
hereby authorizes its agent(s) to provide to the California Emergency Management Agency for all matters pertaining to such state disaster assistance the assurances and agreements required.

Please check the appropriate box below:

- ☒ This is a universal resolution and is effective for all open and futures disasters up to three (3) years following the date of approval below.
☐ This is a disaster specific resolution and is effective for only disaster number(s) _____

Passed and approved this 21st day of March, 2017

(Name and Title of Governing Body Representative)

(Name and Title of Governing Body Representative)

(Name and Title of Governing Body Representative)

CERTIFICATION

I, Greg Selna, duly appointed and Board Secretary of
(Name) (Title)

San Joaquin County Mosquito and Vector Control District, do hereby certify that the above is a true and correct copy of a
(Name of Applicant)

Resolution passed and approved by the Board of Trustees of the San Joaquin County Mosquito and Vector Control District
(Governing Body) (Name of Applicant)

on the 21st day of March, 2017.

(Signature)

(Title)

Cal EMA Form 130
Instructions

A new Designation of Applicant's Agent Resolution for Non-State Agencies is required if the previously submitted document is older than three (3) years from the last date of approval.

When completing the Cal EMA Form 130, Applicants should fill in the blanks on page 1. The blanks are to be filled in as follows:

Resolution Section:

Governing Body: This is the individual or group responsible for appointing and approving the Authorized Agents. Examples include: Board of Directors, City Council, Board of Supervisors, etc.

Name of Applicant: This is the official name of the non-profit, agency, city, or county that has applied for the grant. Examples include: Sacramento Public Water Works; City of Sacramento; or Sacramento County.

Authorized Agent: These are the individuals that are authorized by the Governing Body to engage with the Federal Emergency Management Agency and the California Emergency Management Agency regarding grants applied for by the Applicant. There are two ways of completing this section:

1. **Titles Only:** If the Governing Body so chooses, the titles of the Authorized Agents should be entered here, not their names. This allows the document to remain valid if an Authorized Agent leaves the position and is replaced by another individual. If "Titles Only" is the chosen method, this document must be accompanied by a cover letter naming the Authorized Agents by name and title. This cover letter can be completed by any authorized person within the agency (e.g.; City Clerk, the Authorized Agent, Secretary to the Director) and does not require the Governing Body's signature.
2. **Names and Titles:** If the Governing Body so chooses, the names and titles of the Authorized Agents should be listed. A new Cal EMA Form 130 will be required if any of the Authorized Agents are replaced, leave the position listed on the document or their title changes.

Governing Body Representative: These are the names and titles of the approving board members. Examples include: Chairman of the Board, Director, Superintendent, etc. The names and titles cannot be one of the designated Authorized Agents.

Certification Section:

Name and Title: This is the individual that was in attendance and recorded the Resolution creation and approval. Examples include: City Clerk, Secretary to the Board of Directors, County Clerk, etc. This person cannot be one of the designated Authorized Agents to eliminate "Self Certification."



Cal EMA
CALIFORNIA EMERGENCY
MANAGEMENT AGENCY

For Internal Use Only

Cal EMA Application #: _____

Disaster No #: _____

DUNS #: _____

PROJECT APPLICATION
CALIFORNIA DISASTER ASSISTANCE ACT PROGRAM

1. APPLICANT'S NAME AND ADDRESS

APPLICANT: SAN JOAQUIN CO MUCD
ADDRESS: 7759 S. AIRPORT WAY
CITY & ZIP: STOCKTON, CA 95206
PHONE: 209-982-4675

2. APPLICANT'S AUTHORIZED AGENT
(Attach Resolution of Designation unless an accurate "universal" resolution is on file.)

NAME: EDDIE LUCCHESI
TITLE: MANAGER
ADDRESS: 7759 S AIRPORT WAY
CITY & ZIP: STOCKTON, CA 95206
PHONE: 209-982-4675
FACSIMILE: 209-982-0120
E-MAIL: ELUCCHESI@SJMSQUAD.ORG

3. PROJECT SUMMARY – Attach a List of Projects as defined in Title 19 of the California Code of Regulations, Section 2970(a)(4).

ASSURANCES AND AGREEMENTS

- A. The applicant certifies (to the best of his knowledge and belief) the disaster relief work herein described for which state financial assistance is requested, is eligible in accordance with the criteria contained in the Disaster Assistance Act (Government Code, Section 8680 et seq).
- B. The applicant is the legal entity responsible under law for the performance of the work detailed and accepts such responsibility.
- C. The applicant certifies that the disaster relief work herein described for which state assistance is requested hereunder, does not or will not duplicate benefits received for the same loss from another source.
- D. The applicant certifies that they have undertaken to recover maximum federal participation in funding street and highway project and public facility projects.
- E. The applicant certifies that all information given herein is to the best of its knowledge and belief, true and correct.
- F. The applicant agrees to (1) provide without cost to the state all lands, easements, and rights-of-way necessary for accomplishment of the approved work and
- (2) The applicant agrees to hold and save the State of California, its officers, agents and employees free from damages due to the approved work.
- G. (1) The applicant agrees to comply with Section 3700 of the Labor Code, which requires every employee to be insured against liability for Workmen's Compensation, or to undertake self insurance in accordance with provisions of the code; and will comply with such provisions before commencing the performance of the work.
- (2) The applicant agrees to comply with the Fair Practices Act in connection with the performance of work under this agreement wherein it agrees it will not willfully discriminate against any employee or applicant for employment because of race, color, religion, ancestry, sex, age or national origin; and it agrees to take affirmative action to insure that applicants for employment are employed, and that employees are treated during employment, without regard to their race, color, religion, ancestry, sex, age or national origin, and hereby gives assurance that it will immediately take any measures necessary to effectuate this agreement.

March 14, 2017

PROJECT SUMMARY

MOSQUITO CONTROL ACTIVITIES LOCATED ALONG THE FLOOD WATERS OF THE SAN JOAQUIN RIVER AND ASSOCIATED TRIBUTARIES.

Due the storms and related water releases from Lake Don Pedro and Friant Dam, there is significant seepage water throughout the levee system along the San Joaquin River and associated tributaries. These seepage sites (flooded farm land and commercial property) are perfect breeding habitat for two important mosquito-borne vectors *Culex tarsalis* and *Culex pipien* mosquitoes. The two species are competent vectors of West Nile virus which is endemic in our County.

The Mokelumne River, is also included as in need of mosquito control activity due to the releases from Lake Camanche, currently at 5,000 cfs, and expected to continue through at least May of 2017. The flooded conditions that include farm land such as vineyards, row crops, and pastures will remain flooded and will be suitable breeding grounds for these same species of mosquitoes.

The District has already made aerial applications to approximately 3,500 acres to control the mosquito larvae discovered in these areas. The cost associated with these unforeseen conditions will strain the District's budget in the categories budgeted for traditional annual work. It is anticipated on going treatments will be necessary in order to prevent the spread of West Nile virus to the residents of San Joaquin County.

The District can provide additional supportive data per your request.

Eddie Lucchesi

Manager

PROJECT APPLICATION
CALIFORNIA DISASTER ASSISTANCE ACT PROGRAM

(3) If any real property or structure thereon is provided or improved with the aid of the state financial assistance extended to the applicant, this assurance shall obligate the applicant, or in the case of such property, any transferee for the period during which the provision of similar services of benefits. If any personal property is so provided, this assurance shall obligate the applicant for the period during which it retains ownership or possession of the property. In all other cases, this assurance shall obligate the applicant for the period during which the state financial assistance is extended to it by the agency.

(4) This assurance is given in consideration of, and for the purpose of obtaining any and all state grants, loans, reimbursement, advances, contracts, property, discount, or other state financial assistance extended after the date hereon to the applicant. The applicant recognizes and agrees that such state financial assistance will be extended in reliance on the representations and agreements made in this assurance and that the state shall have the right to seek judicial enforcement of this assurance. This assurance is binding on the applicant, its successors, transferees and assignees, and a person or persons whose signatures appear on this form, or is authorized to sign this assurance on behalf of the applicant.

- H. The applicant certifies that all financial assistance received under this application will be, or has been, expended in accordance with applicable laws and regulations. The applicant certifies that any work performed by a state agency at their request shall be agreed upon in writing and be subject to the State Contract Act. The applicant certifies that the work performed, or to be performed, is in accordance with the state and local laws governing the performance of such work.
- I. The applicant certifies compliance with Standardized Emergency Management System (SEMS) requirements as stated in the California Emergency Services Act, Government Code, Chapter 7 of Division 1 of Title 2, Section 8607.1(e) and CCR Title 19, Sections 2445, 2446, 2447 and 2448.
- J. The applicant certifies that on contracts involving expenditures in excess of \$25,000, it obtained from the contractor a payment bond in accordance with Sections 3247 through 3252 of the Civil Code.
- K. **BY ACCEPTING THESE FUNDS, THE APPLICANT IS NOT FORFEITING ANY RIGHTS WHATSOEVER, INCLUDING THE RIGHT TO A FAIR HEARING.**

4. SIGNATURE OF APPLICANT'S AUTHORIZED AGENT

"I, the official named below, CERTIFY UNDER PENALTY OF PERJURY that I am duly authorized by the above named subgrantee to enter into this agreement for and on behalf of the said subgrantee, and by my signature do bind the subgrantee to the terms thereof."

SIGNATURE: Eddie Jenkins
TITLE: MANAGER

DATE: 3/14/17

5. Cal EMA APPROVAL

SIGNATURE: _____

DATE APPROVED: _____

TITLE: _____

DEPARTMENT OF HOMELAND SECURITY
FEDERAL EMERGENCY MANAGEMENT AGENCY
REQUEST FOR PUBLIC ASSISTANCE

OMB No 1660-0017
Expires October 31, 2008

PAPERWORK BURDEN DISCLOSURE NOTICE

Public reporting burden for this form is estimated to average 10 minutes. Burden means the time, effort and financial resources expended by persons to generate, maintain, disclose, or to provide information to us. You may send comments regarding the burden estimate or any aspect of the collection, including suggestions for reducing the burden to: Information Collections Management, U.S. Department of Homeland Security, Federal Emergency Management Agency, 500 C Street, SW, Washington, DC 20472, Paperwork Reduction Project (OMB Control Number 1660-0017). You are not required to respond to this collection of information unless a valid OMB number appears in the upper right corner of this form. **NOTE: Do not send your completed questionnaire to this address.**

APPLICANT (Political subdivision or eligible applicant.)

San Joaquin County Mosquito and Vector Control District

DATE SUBMITTED

3/14/2017

COUNTY (Location of Damages. If located in multiple counties, please indicate.)

San Joaquin County

APPLICANT PHYSICAL LOCATION

STREET ADDRESS

7759 S Airport Way

CITY

Stockton

COUNTY

San Joaquin County

STATE

CA

ZIP CODE

95206

MAILING ADDRESS (If different from Physical Location)

STREET ADDRESS

POST OFFICE BOX

CITY

STATE

ZIP CODE

Primary Contact/Applicant's Authorized Agent

NAME

EDDIE LUCCHESI

TITLE

MANAGER

BUSINESS PHONE

209-982-4675

FAX NUMBER

209-982-0120

HOME PHONE (Optional)

CELL PHONE

209-915-2125

E-MAIL ADDRESS

Elucchesi@sjmosquito.org

PAGER & PIN NUMBER

Alternate Contact

NAME

TITLE

BUSINESS PHONE

FAX NUMBER

HOME PHONE (Optional)

CELL PHONE

E-MAIL ADDRESS

PAGER & PIN NUMBER

Did you participate in the Federal/State Preliminary Damage Assessment (PDA)? ☐ Yes ☒ No

Private Non-Profit Organization? ☒ Yes ☐ No

If yes, which of the facilities identified below best describe your organization? Mosquito and Vector Control District

Title 44 CFR, part 206.221(e) defines an eligible private non-profit facility as: "... any private non-profit educational, utility, emergency, medical or custodial care facility, including a facility for the aged or disabled, and other facility providing essential governmental type services to the general public, and such facilities on Indian reservations." "Other essential governmental service facility means museums, zoos, community centers, libraries homeless shelters, senior citizen centers, rehabilitation facilities, shelter workshops and facilities which provide health and safety services of a governmental nature. All such facilities must be open to the general public."

Private Non-Profit Organizations must attach copies of their Tax Exemption Certificate and Organization Charter or By-Laws. If your organization is a school or educational facility, please attach information on accreditation or certification.

Official Use Only: FEMA-____-DR-____ - ____ FIPS# _____

Date Received:

Executive Department

State of California

PROCLAMATION OF A STATE OF EMERGENCY

WHEREAS beginning on February 1, 2017 an atmospheric river storm system swept across California, bringing high winds and substantial precipitation severely impacting counties throughout the State; and

WHEREAS due to extreme conditions throughout the state, this storm system caused dangerous flash flooding, erosion, and substantial mud and debris flows; and

WHEREAS this storm system caused significant damage to roads and highways throughout the State; and

WHEREAS the counties throughout the state have been experiencing repeated storms and as a result have not had time to mitigate the cascading impacts of the storms; and

WHEREAS state and local officials are still assessing the full scope of the damage caused by this storm system, with preliminary estimates totaling tens of millions of dollars; and

WHEREAS the circumstances of the storm damage, by reason of their magnitude, are or are likely to be beyond the control of the services, personnel, equipment and facilities of any single local government and require the combined forces of a mutual aid region or regions to combat; and

WHEREAS under the provisions of section 8558(b) of the Government Code, I find that conditions of extreme peril to the safety of persons and property exist due to the storm damage.

NOW, THEREFORE, I, EDMUND G. BROWN JR., Governor of the State of California, in accordance with the authority vested in me by the state Constitution and statutes, including the California Emergency Services Act, and in particular, section 8625 of the Government Code, **HEREBY PROCLAIM A STATE OF EMERGENCY** to exist for Alameda, Alpine, Amador, Butte, Calaveras, Colusa, Del Norte, El Dorado, Fresno, Glenn, Humboldt, Kern, Kings, Lake, Lassen, Los Angeles, Marin, Mariposa, Mendocino, Merced, Modoc, Monterey, Napa, Nevada, Placer, Plumas, Sacramento, San Benito, San Bernardino, San Diego, San Joaquin, San Luis Obispo, San Mateo, Santa Barbara, Santa Clara, Santa Cruz, Shasta, Sierra, Siskiyou, Sonoma, Stanislaus, Sutter, Tehama, Trinity, Tuolumne, Ventura, Yolo, and Yuba Counties.

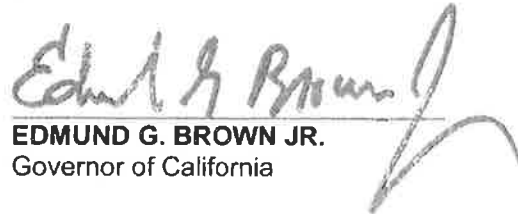
IT IS HEREBY ORDERED THAT:

1. The California Department of Transportation shall formally request immediate assistance through the Federal Highway Administration's Emergency Relief Program, Title 23, United States Code section 125, for the counties listed above, as appropriate, in order to obtain federal assistance for highway repairs or reconstruction.
2. The Office of Emergency Services shall provide assistance under the authority of the California Disaster Assistance Act, California Government Code section 8680 et seq. and California Code of Regulations, Title 19, section 2900 et seq. where appropriate and based upon eligible damage assessments.

3. All agencies of the state government utilize and employ state personnel, equipment, and facilities for the performance of any and all activities related to this state of emergency consistent with the direction of my Office of Emergency Services and the State Emergency Plan.

I FURTHER DIRECT that as soon as hereafter possible, this proclamation be filed in the Office of the Secretary of State and that widespread publicity and notice be given of this proclamation.

IN WITNESS WHEREOF I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this 7th day of March 2017.


EDMUND G. BROWN JR.
Governor of California

ATTEST:

ALEX PADILLA
Secretary of State